

JPROB 12C  
(7/93)

**United States District Court**  
**for the**  
**Southern District of West Virginia**  
**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Independence Coal Company, Inc. Case Number: 2:02CR00185-001  
 Name of Sentencing Judicial Officer: Mary E. Stanley, U.S. Magistrate Judge  
 Date of Original Sentence: March 12, 2003  
 Original Offense: 33 U.S.C. § 1319(c)(1)(A), Clean Water Act Violation Exceeding Permit Limits  
 Original Sentence: Five year term of probation  
 Type of Supervision: Probation Date Supervision Commenced: March 12, 2003  
 Asst. U.S. Attorney: Miller A. Bushong III Defense Attorney: William J. Powell

**PETITIONING THE COURT**

- ☐ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1. **Violation of standard unnumbered condition: The defendant organization shall not commit another Federal, state or local crime:**

Investigative reports received from the United States Environmental Protection Agency and the West Virginia Department of Environmental Protection indicates slurry spills occurred at Independence Coal Company, Inc. sites on August 6 and on September 11 continuing into September 12, 2003.

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☐ Revoked  
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

by

*John B. Edgar*  
 John B. Edgar  
 Senior U. S. Probation Officer  
 Date: September 30, 2003

**FILED**

**OCT - 2 2003**

VERESA L. DEPPNER, CLERK  
 U.S. District & Bankruptcy Courts  
 Southern District of West Virginia

Prob 12C

-2-

Petition for Warrant or Summons  
for Offender Under Supervision

Re: Independence Coal Company, Inc.  
Docket No. 2:02CR00185-001

THE COURT ORDERS

- ☐ No Action  
☐ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☒ Other *Site visit*

ENTERED

- 2 2003

TERESA L. DEPPNER, CLERK  
U.S. District & Bankruptcy Courts  
Southern District of West Virginia

*Mary E. Stanley*  
Signature of Judicial Officer

*October 2, 2003*  
Date